

### **REMARKS**

Claims 2-10, 12-20, and 22-30 are pending in the present application. Claims 1, 11, and 21 are canceled and claims 2-6, 9-10, 12-16, 19-20, 22-26, and 29-30 are amended. Claims 2, 10, 12, 20, 22, and 30 are amended into independent form including all of the limitations of the base claim and any intervening claims to place these claims in condition for allowance. Claims 3-6 and 9 are amended to change their dependency to independent claim 2. In addition, claims 13-16 and 19 are amended to change their dependency to independent claim 12. Finally, claims 23-26 and 29 are amended to change their dependency to independent claim 22. Reconsideration of the claims is respectfully requested.

#### **I. Allowable Subject Matter**

The Office Action states that claims 2, 10, 12, 20, 22, and 30 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, claims 2, 10, 12, 20, 22, and 30 have been rewritten to overcome this objection. Thus, Applicants respectfully submit that claims 2, 10, 12, 20, 22, and 30 are now in condition for allowance. Additionally, since claims 3-9, 13-19, and 23-29 depend from independent claims 2, 12, and 22, respectively, Applicants respectfully submit that claims 3-9, 13-19, and 23-29 are also in condition for allowance.

#### **II. 35 U.S.C. § 101**

The Office Action rejects claims 21-30 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. This rejection is respectfully traversed.

The Office Action states:

Claims 21-30 are rejected under 35 U.S.C. 101 because the "computer usable medium" as claimed is not limited to tangible medium when it is interpreted in light of the specification (see specification, page 8, lines 1-18).

Office Action dated September 23, 2005, page 2.

Claim 21 is canceled. Claim 22 and 30 are amended to replace the phrase "computer usable medium" with "tangible computer usable medium." Applicants respectfully submit that

claims 22-30 recite a "computer program product in a tangible computer usable medium" and therefore, are limited to tangible medium when interpreted in light of the specification. Therefore, Applicants respectfully submit that the rejection of claims 21-30 under 35 U.S.C. § 101 has been overcome.

### III. 35 U.S.C. § 103, Obviousness

The Office Action rejects claims 1, 3-9, 11, 13-19, 21, and 23-29 under 35 U.S.C. § 103(a) as being unpatentable over *Bereiter et al.* ("Bereiter", USP 5917492) and *Alexander III et al.* ("Alexander", USP 6002872). This rejection is respectfully traversed.

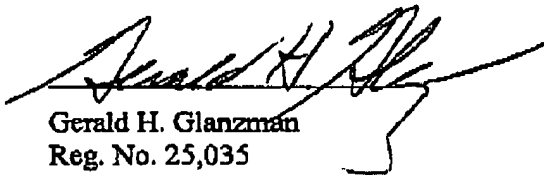
Claims 1, 11, and 21 are canceled. Claims 2, 12, and 22 are amended into independent form including all of the limitations of the base claim and any intervening claims to place these claims in condition for allowance. Claims 3-9, 13-19, and 23-29 now depend from claims 2, 12, and 22, respectively. Thus, claims 3-9, 13-19, and 23-29 are in condition for allowance at least by virtue of their dependency on claims 2, 12, and 22, respectively. Therefore, Applicants respectfully submit that the rejection of claims 1, 3-9, 11, 13-19, 21, and 23-29 under 35 U.S.C. § 103(a) has been overcome.

### IV. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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